



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

COPY

APPLICANT: Rodney Bennett
SERIAL NO.: 09/788,113
FILING DATE: February 16, 2001
TITLE: System and Method for Automating the Assembly, Processing and
Delivery of Documents
EXAMINER: Chongshan Chen
GROUP ART UNIT: 2172
ATTY. DKT. NO.: 21532-04870

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box, Alexandria, VA 22313-1450, on the date printed below:

Dated: February 17, 2004

By: 

Greg T. Sueoka, Reg. No.: 33,800

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AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. § 1.116

Sir:

Responsive to the final official action mailed October 27, 2003, please consider the following remarks.

Seventeen claims were originally filed in this case, and all claims were rejected.

Reconsideration of the application in view of the attached declarations and the following remarks is respectfully requested.

In the final office action mailed October 27, 2003, claims 1-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lin et al. ["Lin," 6,526,403], filed December 17,

1999. In addition, the Examiner stated that the declaration of Rodney Bennett (hereinafter "Bennett Declaration") submitted in the response mailed August 13, 2003, was insufficient to overcome Lin.

The present application claims priority under 35 U.S.C. §119(e) from the co-pending United States Provisional Application Number 60/182,839, filed on February 16, 2000.

Moreover, Applicant conceived the claimed invention and began diligently reducing it to practice prior to the filing date of Lin. Thus Applicant submits that Lin cannot properly be considered prior art to the claimed invention. The Applicant believes that claims 1-17 are patentable, and the Examiner has not established the prima facie case of unpatentability.

Therefore, Applicants request the allowance of claims 1-17.

As proof of Applicant's conception and diligent reduction to practice of the invention claimed by the present application, and to address the issues with the Bennett Declaration as stated by the Examiner, Applicant submits herewith a supplemental declaration of Rodney Bennett and a declaration by J. Dale Debber (hereinafter "Supplemental Declarations"), as well as three exhibits according to 37 C.F.R. § 1.131 to overcome Lin and provide corroborating evidence.

Applicants submit that the Supplemental Declarations merely adopt Examiner's suggested changes to the Bennett Declaration, and thus respectfully request that they be entered by the Examiner. MPEP 2272. In addition, because Applicants believed the Bennett Declaration to be sufficient to overcome Lin when submitted, the necessity of the Supplemental Declarations was not known to Applicants at the time of their last response. As a result, Applicants respectfully request that the Supplemental Declarations be admitted per 37 C.F.R. § 1.116(c).

If the Examiner believes that the declarations and attached exhibits are in any way insufficient to overcome Lin according to 37 C.F.R. § 1.131, Applicant respectfully requests that the Examiner contact the undersigned attorney by telephone to discuss the matter.

Favorable action is hereby solicited.

Respectfully submitted,
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